

**A RESOLUTION AUTHORIZING AWARD OF A CONTRACT FOR RIGHT-OF-WAY
LANDSCAPE MAINTENANCE AND REPAIR SERVICES TO SIERRA
LANDSCAPING AND MAINTENANCE**

NO. 2024-005

WHEREAS, City Council directed City Staff to increase levels of service in the City's Right-of-ways, Parks, open space and undeveloped properties.

WHEREAS, the City of Commerce City ("City") contracts for the provision for general and programmatic right-of-way landscaping and irrigation services, including, 112th & Potomac, 104th & Chambers, Quebec & 56th, US 85 & HWY 2, Tower Rd, HWY 2 ("Services")

WHEREAS, the City engaged in a formal competitive public solicitation process to select a contractor to provide the Services. After reviewing all the proposals, a determination was made that it was in the best interests of the City to award a contract to TWA, Inc. d/b/a Sierra Landscaping and Maintenance ("Contractor") for a one-year term, with an option for an additional one-year term extension. Based upon this determination, a recommendation was made that the contract for the Services be awarded to said Contractor;

WHEREAS, the cost to the City of the Services will exceed \$250,000.00 for the proposed one-year contract term and any extension and, pursuant to the City's procurement policies and the City Manager's commitment to the City Council, the City Council must approve any procurement in excess of \$250,000.00.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF COMMERCE CITY, COLORADO, AS FOLLOWS:

SECTION 1. Findings. The recitals to this resolution are incorporated as findings of the City Council. This resolution is found to be necessary for the preservation of the public health, safety, and welfare and in the public interest.

SECTION 2. Award of Contract. The award of the contract for the Project to the Contractor is hereby approved subject to successful finalization of an appropriate contract on terms acceptable to the City Manager. This resolution shall not be deemed to grant any right or interest in the award of a contract to TWA, Inc. d/b/a Sierra Landscaping and Maintenance. All rights and interests shall be defined exclusively by the terms and conditions set forth in the written contract.

SECTION 3. Authorization to Negotiate. The City Manager is hereby authorized to negotiate and finalize the details of a contract with the Contractor, including final pricing and payment terms, consistent the services agreement with the Contractor.

SECTION 4. Execution and Attestation. Upon successful finalization of the contract and approval as to form by the City Attorney, the City Manager is hereby authorized to execute, and the City Clerk to attest, the contract on behalf of the City.

RESOLVED AND PASSED THIS 5TH DAY OF FEBRUARY, 2024.

CITY OF COMMERCE CITY, COLORADO

Steven J. Douglas, Mayor

ATTEST

Dylan A. Gibson, City Clerk